

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3
4 Case No.: 2:17-cv-00842-JAD-NJK

5 Michael Cifaldo,

6 Plaintiff

7 v.

8 BNY Mellon Investment Servicing Trust
9 Company,

10 Defendant

11 **Order Adopting**
12 **Report & Recommendation**
13 **and Dismissing Case**

14 [ECF No. 26]

15 Magistrate Judge Nancy J. Koppe recommends that I dismiss this case as a sanction for
16 plaintiff Michael Cifaldo’s willful refusal to meaningfully participate in this case.¹ The deadline
17 for Cifaldo to object to that recommendation was March 6, 2019, and Cifaldo filed nothing.
18 “[N]o review is required of a magistrate judge’s report and recommendation unless objections
19 are filed.”² Having reviewed the R&R, I find good cause to adopt it, and I do.

20 Accordingly, IT IS HEREBY ORDERED that the Magistrate Judge’s Report and
21 Recommendation **[ECF No. 15] is ADOPTED** in its entirety.

22 IT IS FURTHER ORDERED that **THIS CASE IS DISMISSED with prejudice** due to
23 plaintiff’s willful refusal to comply with court orders despite warning that sanctions including
24 dismissal may result.

25
26 ¹ ECF No. 15.

27 ² *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); *see also Thomas v. Arn*, 474
28 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

The Clerk of Court is directed to ENTER JUDGMENT ACCORDINGLY and CLOSE THIS CASE.

Dated: March 8, 2019

U.S. District Judge Jennifer A. Dorsey